

JOHN E. SMITH  
NICK K. BROOKE  
SMITH & STEPHENS, P.C.  
315 West Pine Street  
Missoula, Montana 59802  
Phone: (406) 721-0300  
Fax: (406) 721-5370  
[john@smithstephens.com](mailto:john@smithstephens.com)  
[nick@smithstephens.com](mailto:nick@smithstephens.com)

*Attorneys for Defendant*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION**

---

KEVIN WASHINGTON,  
Plaintiff,  
v.  
MATTHEW BRENT GOETTSCHE,  
Defendant.

---

**Cause No. CV-20-2-BU-BMM-KLD**

**DEFENDANT'S UNOPPOSED  
MOTION TO SEAL  
RECEIVER'S INVENTORY**

Defendant Matthew Brent Goetsche, through his undersigned counsel, respectfully moves this Court to seal exhibit A to Notice of Filing Receiver's Inventory of CryptoWatt Mining LLC's Assets pursuant to Federal Rule of Civil Procedure 5.2, the District of Montana Local Rules of Procedure 5.2(b), and in accordance with the CryptoWatt Operating Agreement, because it contains confidential, non-public business information.

Counsel for the Plaintiff, Kris M. McLean, has been contacted and states he has **no objection** to this motion to seal.

Section 9.01 of the CryptoWatt Operating Agreement, titled “Confidentiality,” says in relevant part:

Each Member shall maintain the confidentiality of information that is, to the knowledge of such Member, non-public information regarding (i) the Company, or (ii) the business of the Company or its Affiliates, unless consented to in writing by the Managing Member, and except as may be required by Applicable Law.

Dkt. No. 9-1. CryptoWatt maintains the security and confidentiality of its business information, which could be used by its competitors to harm CryptoWatt’s business. Exhibit A to Notice of Receiver Inventory of CryptoWatt Mining Assets contains a description of sensitive business information that is not public and should not be public at this time. If members of the public gained access to this sensitive information, it would have the potential to interfere with CryptoWatt’s business operations. Accordingly, exhibit A to Notice of Filing Receiver’s Inventory of CryptoWatt Mining LLC’s Assets should be sealed.

Pursuant to Local Rule 5.2(a), the undersigned hereby certifies that sealing is appropriate to the best of his knowledge, information, and belief, formed after an inquiry reasonable under the circumstances and with due regard to the public’s right of access.

RESPECTFULLY SUBMITTED this 7<sup>th</sup> day of April 2020.

SMITH & STEPHENS, P.C.

by: *s/John E. Smith*  
**John E. Smith**  
*Attorney for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 7<sup>th</sup> day of April 2020, a copy of the foregoing document was served on the following persons by the following means:

1, 2 CM-ECF

       Hand Delivery

       Mail

       Overnight Delivery Service

       Fax

       E-Mail

1. CLERK, UNITED STATES DISTRICT COURT

2. Kris McLean, Counsel for Plaintiff Washington

By: /s/ John E. Smith

John E. Smith

SMITH & STEPHENS, P.C.

Attorney for Defendant